

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and for courtesies extended during the Examiner Interview conducted on August 18, 2009.

#### **Disposition of Claims**

Claims 1, 3-11, 13-15, 30 and 31 are pending. Claim 2 is canceled by this reply, without prejudice or disclaimer. Claims 1, 13, 30, and 31 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 13.

#### **Claim Amendments**

The independent claims are amended for purposes of clarification. No new matter is added by way of these amendments, as support may be found in the originally filed claims.

#### **Claim Objections**

Claim 2 is objected to for a minor informality. Claim 2 is canceled by this reply; thus, this objection is now moot.

#### **Rejection(s) under 35 U.S.C. § 112**

Claims 1-11, 13-15, 30, and 31 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 2 is canceled by this reply; thus, this rejection is now moot with respect to claim 2. This rejection is respectfully traversed.

The Examiner asserts that the language reciting “one additional table” is unclear because it is not specific what the additional table is. As discussed during the Examiner Interview conducted on August 18, 2009, the “one additional table” is not any specific table, but is merely a data structure in the form of a table that is separate and distinct from the bouquet related tables

recited in the claims. Thus, the additional table claimed is another table that is in addition to the bouquet related tables, and is recited as “one additional table” to distinguish from the earlier recited bouquet related tables. Thus, Applicant asserts that the language of the independent claims is clear. Pending dependent claims are no longer indefinite for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Rejection(s) under 35 U.S.C. § 103**

*Claims 1, 2, 6-11, 13, 15, 30, and 31*

Claims 1, 2, 6-11, 13, 15, 30, and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over European Telecommunication Standard (ETS) in view of Arai (US Patent No. 7,516,467). Claim 2 is canceled by this reply; thus, this rejection is now moot with respect to claim 2. To the extent that this rejection may still apply to the remaining amended claims, this rejection is respectfully traversed.

The amended independent claims recite, in part, “wherein the at least two bouquet related tables correspond to bouquet association tables containing information regarding the services present in the commercial bouquet.” Applicant respectfully asserts that ETS fails to disclose or render obvious the aforementioned limitation of the amended independent claims.

Specifically, as discussed during the Examiner Interview of 8/18/09, the amended claims now recite multiple bouquet association tables in a single transport stream, which is clearly not taught by ETS. Rather, in ETS, a transport stream is used by one commercial operator only. The commercial operator offers a number of channels and services in this transport stream. Information about these services is included in a Bouquet Association Table (BAT), which has fixed PID and TID values of 0x011 and 0x44, respectively. Thus, in order to access information about the services available in the transport stream, the decoder accesses the BAT simply by

looking in packets with the correct PID and TID values. *See* ETS, page 2, line 23 to page 3, line 3. However, ETS fails to disclose or render obvious more than one BAT in a single transport stream, as required by the amended independent claims.

In addition, the Examiner admits that ETS fails to disclose transmitting one additional table comprising bouquet identity values associated with the BRTs (bouquet related tables). *See* Action mailed July 8, 2009, page 4.

Further, Arai fails to supply that which ETS lacks, because Arai constitutes improper prior art under 35 U.S.C. § 102(e). Specifically, Arai's earliest US filing date is December 3, 1998, which is after the current application's foreign priority date of November 9, 1998. Accordingly, as agreed to by the Examiner during the Examiner Interview, Arai cannot be proper prior art under 35 U.S.C. § 102(e), because the present application claims foreign priority to a foreign application that was filed before the US filing date of Arai.

In view of the above, it is clear that the Examiner's contentions fail to support an obviousness rejection of the amended independent claims. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

#### Claims 3-5 and 14

Claims 3-5 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over ETS in view of Arai<sup>1</sup>, and further in view of *Issues in Multiplex and Service Management in Digital Multichannel Broadcasting* by Cartwright ("Cartwright"). This rejection is respectfully traversed.

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<sup>1</sup> Applicant's note that while the Office Action rejects claims 3 and 4 as being obvious over ETS in view of Bennett and Cartwright, the Examiner corrected the erroneous rejection during the interview on 8/18/09, and clarified that claims 3-5 and 14 are rejected as being obvious over ETS in view of Arai and Cartwright. Applicant has traversed the rejection accordingly.

As described above, ETS and Arai fail to disclose or render obvious the limitations of the independent claims, because Arai constitutes improper prior art, and ETS alone fails to disclose all the limitations required by the independent claims. Further, Cartwright fails to supply that which ETS and Arai lack. Specifically, Cartwright fails to disclose or render obvious a separate table including bouquet identity values used to identify the at least two BRTs to be downloaded. Cartwright merely teaches a network information table.

In view of the above, it is clear that the independent claims are patentable over ETS and Cartwright, whether considered separately or in combination. Dependent claims 3-5 and 14 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### **Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number [11345/033001]).

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Respectfully submitted,

By 

Jonathan P. Osha  
Registration No.: 33,986  
OSHA · LIANG LLP  
909 Fannin Street, Suite 3500  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant